

STATUTES AFFECTED BY A DECLARATION OF THE CESSATION OF
HOSTILITIES, CLASSIFIED BY TERMINATION PROVISIONS

Statutes Affected Immediately

1. Selective Training and Service Act of 1940, section 9 (50 U.S.C. App., sec. 309), as amended by section 3 of the War Labor Disputes Act, approved June 25, 1943 (57 Stat. 164, 50 U.S.C. App. 1503), provides that possession of any plant, mine, or facility may not be taken under authority of this section "after the termination of hostilities in the present war, as proclaimed by the President, or after the termination of the War Labor Disputes Act." (This does not affect past seizures). See also paragraph 19, below.
2. Act of June 15, 1943 (57 Stat. 153), relates to training of nurses for the armed forces. Section 10 provides: "This Act shall cease to be in effect upon the date of the termination of hostilities in the present war as determined by the President or upon such earlier date as the Congress by concurrent resolution or the President may designate, except for purposes of (a) making computations, payments, and adjustments in payments with respect to recruitment, training, and courses prior to such date, and (b) making computations, payments, and adjustments in payments so as to permit continuance, after such date, of training and courses by graduate or student nurses who were receiving training or courses ninety days prior to such date."
3. Internal Revenue Code, section 23 (q) (2). Deduction permitted for certain contributions by corporations "payment of which is made within a taxable year beginning after the date of the cessation of hostilities in the present war, as proclaimed by the President."
4. Internal Revenue Code, section 1830. Provides for the tax-free removal of playing cards to territories of the United States for use by members of the armed forces of the U. S. "until the date on which the President proclaims hostilities in the present war are ended."
5. Internal Revenue Code, section 2135 (a) (1). Tax-free shipment of tobacco, snuff, cigars, and cigarettes, for the use of military or naval forces, "until the date on which the President proclaims that hostilities in the present war have terminated."
6. Act of February 25, 1944, section 124 (e) (58 Stat. 21, 45). Certain amendments to Section 114 of the Internal Revenue Code relating to percentage depletion, are not to "apply with respect to any taxable year beginning on or after the date of the termination of hostilities in the present war. For the purposes of this subsection the term 'date of the termination of hostilities in the present war' means the date proclaimed by the President as the date of such termination, on the date specified in a concurrent resolution of the two Houses of Congress as the date of such termination, whichever is earlier."

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7. National Defense Act, section 47 (a) (10 U.S.C. 441). Authorizes the Secretary of War to maintain camps of instruction for members of the Reserve Officers' Training Corps for no longer than 6 weeks in any one year, "except in time of actual or threatened hostilities."
8. Act of March 4, 1915 (38 Stat. 1078), as amended (act of May 29, 1934, sec. 2, 48 Stat. 816; 10 U.S.C. 17). Provides that except upon his own request, no officer or enlisted man of the Armies shall be required to serve more than 2 years in certain foreign stations, "except in case of insurrection or of actual or threatened hostilities or except in the discretion of the Secretary of War for temporary emergencies."
9. Act of June 26, 1946 (Public Law 444, 79th Cong., 2d sess.) Limits the award of certain military and naval decorations to acts or services performed during a period ending "with the date of the termination of hostilities in the present war * * * proclaimed by the President as the date of such termination or the date specified in a concurrent resolution of the two Houses of Congress as the date of such termination, whichever is earlier."
10. Act of May 14, 1940 (54 Stat. 214; 10 U.S.C. 81). Provides that the President, "in the event of actual or threatened hostilities involving the United States," may authorize, within the limit of the total authorized strength of the Regular Army, additional enlistments in the Medical Department to such number as he may deem necessary.
11. Act of July 9, 1918 (40 Stat. 893), as amended (act of May 29, 1928, sec. 1, 45 Stat. 989; 10 U.S.C. 1287). Provides that in case of actual or threatened hostilities any proceeds received from the operations in the field overseas, shall be available for the purpose of such utility until the close of the fiscal year following that in which the proceeds are received.
12. Act of December 22, 1944 (58 Stat. 887, 892), pertaining to the construction of public work on rivers and harbors for flood control in part under the supervision of the Secretary of War and the Chief of Engineers, provides: "That when the existing critical situation with respect to materials, equipment and man power no longer exists, and in any event not later than immediately following the cessation of hostilities in the present war, the projects herein shall be initiated as expeditiously and prosecuted as vigorously as may be consistent with budgetary requirements."
13. Act of June 30, 1945, section 607 (59 Stat. 304; 5 U.S.C., Supp. V, 947 (f)). Provides exemption "until the cessation of hostilities in the present war as proclaimed by the President" of War and Navy Departments, except as to civilian officers and employees not heads thereof, from the provisions of section 607 of the Federal Employees Pay Act of June 30, 1945. Section 607 provides for the fixing of personnel ceilings by the Director of the Bureau of the Budget. Section 14 of the Federal Employees Pay Act of 1946, approved May 24, 1946 (Public Law 390, 79th Cong.), amends section 607.

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14. Education of Children of War Veterans. The act of December 16, 1944 (58 Stat. 811) amends the act of June 19, 1934 (48 Stat. 1125; 34 U.S.C. Supp. IV, 1945), relative to educational benefits for children of deceased war veterans, domiciled in the District of Columbia, by extending the benefits to children of veterans of the current war who have died or may hereafter die as a result of service in the armed forces of the United States "during the period of the present war, on and after December 7, 1941, and prior to the termination of hostilities as declared by Presidential proclamation or by concurrent resolution of the Congress."
- 15(a). Act of March 24, 1943 (ch. 22, sec. 2, 57 Stat. 43). Amends act of March 20, 1933 (48 Stat. 8), and makes eligible for vocational rehabilitation "any person who served in the active military or naval forces on or after December 7, 1941, and prior to the termination of hostilities in the present war," and provides "That no course of training in excess of a period of four years shall be approved nor shall any training under this part be afforded beyond six years after the termination of the present war."
- 15(b). Act of December 28, 1945, c. 591, 59 Stat. 659, Public No. 271, 79th Cong., 1st sess., makes special provision for the immigration of alien spouses or alien children of United States citizens serving in, or having an honorable discharge certificate from the armed forces during the period beginning on December 7, 1941, and ending with "the termination of hostilities as declared by the President or by a joint resolution of Congress."
- 5(c). Act of July 31, 1946 (Public Law 571, 79th Cong., 2d sess.) Amends section 201 of the Nationality Act of 1940 (54 Stat. 1138-1139; 8 U.S.C. 601) by extending citizenship to children of a citizen serving honorably in the armed forces of the United States during a period "before the date of the termination of hostilities in the present war as proclaimed by the President or determined by a joint resolution by the Congress."
16. Act of February 14, 1944, section 5 (g) (58 Stat. 11, 15), as amended by act of December 22, 1944 (58 Stat. 853, 862), and act of July 3, 1945 (Public Law 124, 79th Cong., 1st sess.; War Manpower Commission, Migration of Workers). Waives certain immigration restrictions for workers imported from Western Hemisphere countries "during continuation of hostilities in the present war." Act of December 28, 1945 (Public Law 269, 79th Cong.), makes provision for the admission of agricultural workers notwithstanding any official determination of the cessation of hostilities.
17. Act of April 29, 1943, section 5 (g) (57 Stat. 70, 73). Waives certain immigration restrictions for workers imported from Western Hemisphere countries "during continuation of hostilities in the present war." Act of December 28, 1945 (Public Law 269, 79th Cong.), makes provision for the admission of agricultural workers notwithstanding any official determination of the cessation of hostilities.

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18. Act of September 27, 1944 (ch. 416, 58 Stat. 745; 50 U.S.C., Supp. IV, App. 1601-1603). Permits disposal of materials or resources on the public lands of the United States which are under the exclusive jurisdiction of the Secretary of the Interior. Authority expires "at the cessation of hostilities in the present war as determined by the President by proclamation or the Congress by concurrent resolution."

Statutes Affected in 6 Months

19. Section 9 of the Act of September 16, 1940, as amended by section 3 of the War Labor Disputes Act, approved June 25, 1943 (57 Stat. 164; 50 U.S.C. App. 1503), provides:

"The power of the President under the foregoing provisions of this section to take immediate possession of any plant upon a failure to comply with any such provisions, and the authority granted by this section for the use and operation by the United States or in its interests of any plant of which possession is so taken, shall also apply as hereinafter provided to any plant, mine, or facility equipped for the manufacture, production, or mining of any articles or materials which may be required for the war effort or which may be useful in connection therewith. Such power and authority may be exercised by the President through such department or agency of the Government as he may designate, and may be exercised, with respect to any such plant, mine, or facility whenever the President finds, after investigation, and proclaims that there is an interruption of the operation of such plant, mine or facility as a result of a strike or other labor disturbance, that the war effort will be unduly impeded or delayed by such interruption, and that the exercise of such power and authority is necessary to insure the operation of such plant, mine, or facility in the interest of the war effort."

Section 3 of the War Labor Disputes Act further provides that the authority to operate any plant, mine, or facility taken under the provisions of this section "shall terminate at the end of six months after the termination of such hostilities as so proclaimed."

Section 10 of the War Labor Disputes Act provides:

"Except as to offenses committed prior to such date, the provisions of this Act and the amendments made by this Act shall cease to be effective at the end of six months following the termination of hostilities in the present war, as proclaimed by the President, or upon the date (prior to the date of such proclamation) of the passage of a concurrent resolution of the two Houses of Congress stating that such provisions and amendments shall cease to be effective."

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20. Act of May 29, 1943 (ch. 107, 57 Stat. 92; 48 U.S.C., Supp. IV, note preceding 351). Authorizes the Secretary of the Interior to defer or waive payments under nonmineral leases of public lands in Alaska "for any period occurring prior to the end of six months after the termination of hostilities in the present war as proclaimed by the President, or such earlier date as the Congress by concurrent resolution may prescribe."
21. Act of December 15, 1944 (ch. 589, 58 Stat. 806 (not codified)). Amends section 7 (a) of the act of March 3, 1925 (ch. 443, 43 Stat. 1119; D. C. Code 40-301 (a)). Regulates motor-vehicle traffic in the District of Columbia and extends validity of operators' permits for military personnel. Expires "six months after the date of the termination of hostilities in the present war as determined by the President or upon such earlier date as the Congress by concurrent resolution may designate."
22. Act of July 3, 1944 (Public Law 417, 78th Cong., 2d sess.), to provide "in time of war" for the staying of certain suits for damages caused by Navy vessels, or for towage or salvage services to such vessels, when prosecution would endanger the security of naval operations, "until six months after the cessation of hostilities in such war, or until such earlier date" as may be stated in the certificate of the Secretary of the Navy; to provide similarly for suspending the issuing of process to preserve evidence and to take depositions; and to provide for the settlement of claims.
23. Act of December 5, 1942 (ch. 680, 56 Stat. 1041). To accord duty-free entry of gifts not exceeding \$50 from members of the armed forces of the United States serving abroad. The act is effective "with respect to articles entered for consumption or withdrawn from warehouse for consumption on or after the date of its enactment and before the expiration of six months after the termination of hostilities as determined by proclamation of the President, or by concurrent resolution of the Congress." (sec. 2).
24. Act of April 13, 1943 (57 Stat. 65). To suspend sections 12b and 19 of the Federal Reserve Act, which relate to assessments on deposits and reserve requirements. Effective until "six months after the cessation of hostilities in the present war as determined by proclamation of the President or concurrent resolution of the Congress."
25. Joint Resolution of June 7, 1945 (Public Law 77, 79th Cong.). Extension of Statute of Limitations in certain cases (Pearl Harbor) "for a further period ending six months after the date of the termination of hostilities in the present war with Japan as proclaimed by the President or as specified in a concurrent resolution of the two Houses of Congress, whichever is the earlier."

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26. Act of December 22, 1944 (58 Stat. 913; 50 U.S.C. App., Supp. IV., 1701). Disposal of condemned mail. Act expires "upon the expiration of six months after the date of the termination of hostilities in the present war as proclaimed by the President or declared by concurrent resolution of the Congress."
27. Act of August 2, 1939 (53 Stat. 1147), to prevent pernicious political activities (Hatch Act), amended by the act of August 21, 1944 (Public Law 418, 78th Cong.), forbidding the distribution of material containing certain political propaganda. Sections 22 and 23 to "expire upon the expiration of six months after the termination of hostilities in the present war as proclaimed by the President or declared by concurrent resolution of the Congress." See act of September 16, 1942 (Public Law 712, 77th Cong.), Soldiers Voting Act, as amended by the act of April 1, 1944 (ch. 150, 58 Stat. 136).
28. Act of July 3, 1943 (ch. 212 57 Stat. 391). To provide penalties for the violation of harbor and water front regulations. Effective only "until six months after the cessation of hostilities in the present war."
29. Act of February 29, 1944 (Public Law 241, 78th Cong., 2d sess.). To provide for the appointment of an additional Assistant Secretary of the Interior. The additional office provided for in the act "shall cease to exist at the expiration of six months after the cessation of hostilities in the present war as determined by the President by proclamation or by the Congress by concurrent resolution."
30. Act of July 16, 1943 (ch. 242, 57 Stat. 566; 16 U.S.C., Supp. IV, 590 Y-Z-2). Provides for conservation and utilization of water and use of prisoners of war on such projects. Section 5 authorizes the use of prisoners until "six months after the cessation of hostilities in the present war as determined by proclamation of the President or concurrent resolution of Congress."
31. Act of June 22, 1944 (ch. 271, 58 Stat. 324; 30 U.S.C., Supp. IV, 27). Suspends certain requirements relating to work on tunnel sites of mines until "six months after the cessation of hostilities in the present war as determined by proclamation of the President or concurrent resolution of the Congress."
32. Act of July 31, 1945 (Public Law 168, 79th Cong., 1st sess.). Amends the act relating to the Secretary of State completing the collecting, editing, and publishing of official papers concerning United States Territories (5 U.S.C. 167-168c), so as to prohibit the expenditures for printing authorized under the act "until six months after the end of hostilities in the present war."
33. Act of July 12, 1943 (57 Stat. 520). Leases of silver held or owned by the United States permitted "for a period not longer than six months after the cessation of hostilities in the present war, as proclaimed by the President." The act of July 31, 1946 (Public Law 579, 79th Cong.), grants authority for sale or lease of silver without limitation as to time.

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Statutes Affected in One Year or Less

34. Act of February 25, 1944 (58 Stat. 21, 66). Section 307 (b) (2) makes certain amendments to sections 2700 (b)(1), 3407, and 3442 of the Internal Revenue Code "applicable to sales made on or after the first day of the first month which begins six months or more after the date of the termination of hostilities in the present war." Section 307 (b) (5) provides that sections 3469 (f)(1) and 3475 (b) of the Internal Revenue Code, exempting from tax amounts paid by or to the War Shipping Administration for transportation of property by water, is to be applicable for a period "ending on the first day of the first month which begins six months or more after the date of the termination of hostilities in the present war," Section 307 (b) (6) provides that "for the purposes of this subsection the term 'date of the termination of hostilities in the present war' means the date proclaimed by the President as the date of such termination, or the date specified in a concurrent resolution of the two Houses of Congress as the date of such termination, whichever is the earlier."

Section 307 (c) (58 Stat. 21, 66) authorizes the Secretary of the Treasury to grant exemption from taxes imposed by chapters 19, 29, or 30, of the Internal Revenue Code, where the benefit of the exemption will accrue to the United States, such exemption not to be "applicable to any contract entered into on or after the first day of the first month which begins six months or more after the date of the termination of hostilities in the present war."

Section 309 (b) 58 Stat. 21, 68) provides that the drawback on distilled spirits under the Internal Revenue Code (sec. 3250 (1) (5), is increased from \$3.75 to \$6 a proof gallon for period "ending on the first day of the first month which begins six months or more after the date of the termination of hostilities in the present war."

35. Internal Revenue Code, sections 1650-1655. War Tax Rates. Section 1650 fixes rates which are to end "on the first day of the first month which begins six months or more after the date of the termination of hostilities in the present war." Section 1651 fixes other rates, which by section 1654 are not to "apply with respect to any period commencing on or after the first day of the first month which begins six months or more after the date of the termination of hostilities in the present war." Section 1655 defines "date of the termination of hostilities in the present war" to mean "the date proclaimed by the President as the date of such termination, or the date specified in a concurrent resolution of the two Houses of Congress as the date of such termination, whichever is earlier."

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36. Act of March 23, 1943 (57 Stat. 41; 38 U.S.C. 512). Provision for renewal of Government life insurance by any person other than the insured or his duly authorized agent "shall be effective until the termination of hostilities as proclaimed by the President or as determined by joint resolution of the Congress, and for three months thereafter."
37. Act of September 17, 1944 (ch. 411, sec. 5, 58 Stat. 733; 39 U.S.C., Supp. IV, 386, note). An act to increase the rates for registered mail receipts "shall cease to be in effect on and after the first day of the first month which begins at least six months after the termination of hostilities in the present war."
38. Act of July 6, 1945 (ch. 274, sec. 20, 59 Stat. 459; Public Law 134, 79th Cong., 1st sess.). Compensatory time or overtime pay provided for Saturday service, for certain postmasters and postal service employees "during the period of hostilities with Japan and for not more than thirty days thereafter."
39. Act of March 4, 1925 (ch. 536, sec. 22, 43 Stat. 1276-1277), as amended by Public Law 1, Seventy-ninth Congress, February 13, 1945. Limitation on personnel of Naval Reserve Officers' Training Corps "until the expiration of one year after the cessation of hostilities in the present war as declared by the President or by concurrent resolution of Congress."
40. Act of May 3, 1943 (ch. 91, 57 Stat. 74). To permit the suspension of annual assessment work on mining claims held by location. Expires "on the 1st of July after the cessation of hostilities in the present war as determined by proclamation of the President or concurrent resolution of the Congress."
41. Act of July 3, 1945, section 303 (Public Law 124, 79th Cong., 1st sess.). Appropriation made for training of defense workers not to be available for obligation "for a period longer than sixty days after cessation of hostilities in the present war."
42. Act of February 26, 1944 (ch. 65 (58 Stat. 100-104)). Protection of fur seals and sea otter in waters of North Pacific Ocean. Provides that "the provisions of this Act which implement the Provisional Fur-Seal Agreement of 1942 concluded between the United States of America and Canada shall remain in effect only for the duration of the present

hostilities and twelve months thereafter unless either the Government of the United States of America or the Government of Canada enacts legislation contrary thereto, or until twelve months after either Government shall have notified the other Government of its intention to terminate the agreement."

43. Acts of April 29, 1943 (ch. 82, sec. 5 (f), 57 Stat. 72) and February 14, 1944 (ch. 16, sec. 5 (f), 58 Stat. 15; 50 U. S. C., Supp. IV, App. 1355); amended by act of April 25, 1945 (ch. 95, 59 Stat. 80, Public Law 40, 79th Cong., 1st sess.). Excludes income "prior to the seventh calendar month occurring after the termination of hostilities in the present war, as proclaimed by the President," from agricultural labor and nursing in considering State payments of old-age assistance.

Statutes Affected in More Than One Year

44. Act of July 1, 1944, Contract Settlement Act of 1944, section 19(a) (ch. 358, 58 Stat. 667, 41 U. S.C., Supp. IV, 119). Provides that it shall be unlawful to secrete or destroy certain records by war contractors and purchasers until "five years after the termination of hostilities in the present war as proclaimed by the President or by a concurrent resolution of the two Houses of Congress or until five years after disposition of termination inventory or contract settlement, whichever shall be earliest."
45. Act of April 24, 1945 (Public Law 39, 79th Cong., 1st sess.). Section 3 amends section 17 of the Reclamation Project Act of 1939 (53 Stat. 1187, 1198) by extending the authority granted in sections 3 and 4 of the act for modification of existing repayment contracts or other forms of obligations to pay construction charges "through December 31, 1950, or December 31 of the fifth full calendar year after the cessation of hostilities in the present war, as determined by proclamation of the President or concurrent resolution of the Congress, whichever period is the longer."
46. Act of October 3, 1944 (Public Law 457, 78th Cong., 2d sess.), Surplus Property Act of 1944. Section 38 provides: "Unless extended by law, this Act shall expire at the end of three years following the date of the cessation of hostilities in the present war. For the purposes of this section the term 'date of the cessation of hostilities in the present war' means the date proclaimed by the President as the date of such cessation, or the date specified in a concurrent resolution of the two Houses of Congress as the date of such cessation, whichever is the earlier."

47. Act of August 24, 1942 (56 Stat. 747; 18 U. S. C., sec. 590a), as amended by section 19b of the act of July 1, 1944 (Public 395, 78th Cong., 2d sess.), Contract Settlement Act of 1944, which suspends the running of any existing statute of limitations applicable in certain cases involving the defrauding of the United States "until three years after the termination of hostilities in the present war as proclaimed by the President or by a concurrent resolution of the two Houses of Congress."
48. Act of December 8, 1944 (Public Law 472, 78th Cong., 2d sess.). Authorizes the appointment of two additional Assistant Secretaries of State "for the period of the emergency and not to exceed two years following the cessation of hostilities."
49. Act of October 2, 1942 (secs. 8 (a) and 9 (a), 56 Stat. 765, 768), as amended. Authorizes the Secretary of Agriculture and the Commodity Credit Corporation to use funds to support the prices of basic and non-basic agricultural commodities during "the two-year period beginning with the first day of January immediately following the date upon which the President by proclamation or the Congress by concurrent resolution declares that hostilities in the present war have terminated."
50. Act of April 12, 1945 (Public Law 30, 79th Cong.). Authorizes the Commodity Credit Corporation to dispose of cotton free from the restrictions prescribed in section 381 (c) of the Agricultural Adjustment Act of 1938, as amended (7 U. S. C. 1381 (c)). The operation of section 381(c) of the Agricultural Adjustment Act of 1938 is suspended until "the expiration of the two-year period beginning with the first day of January immediately following the date on which the President, by proclamation, or the Congress, by concurrent resolution, declares that hostilities in the present war have terminated."
51. Internal Revenue Code, section 780, provides for postwar excess-profits tax refund bonds to mature on the last day of the second, third, fourth, or fifth year beginning after "the date on which hostilities in the present war between the United States and the governments of Germany, Japan, and Italy cease as fixed by proclamation of the President or by concurrent resolution of the two Houses of Congress, whichever date is earlier, or in case the hostilities between the United States and such governments do not cease at the same time, such date as may be so fixed as an appropriate date for the purposes of this section."